

Message Text

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ORIGIN EUR-12

INFO OCT-01 IO-13 ISO-00 SS-15 SSO-00 NSCE-00 INRE-00

CIAE-00 DODE-00 PM-04 H-02 INR-07 L-03 NSAE-00 NSC-05

PA-01 PRS-01 SP-02 USIA-06 ACDA-07 SAJ-01 EB-07

DLOS-06 INT-05 SAL-01 OMB-01 TRSE-00 OES-06 /106 R

DRAFTED BY EUR/SE:RRDELABARRE:VF

APPROVED BY P:PCHABIB

EUR:LBLAINGEN

EUR/SE:WLEAGLETON

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O 121459Z AUG 76

FM SECSTATE WASHDC

TO AMEMBASSY ANKARA IMMEDIATE

INFO AMEMBASSY ATHENS IMMEDIATE

USMISSION USUN NEW YORK IMMEDIATE

AMEMBASSY NICOSIA IMMEDIATE

USMISSION NATO IMMEDIATE

AMEMBASSY MOSCOW IMMEDIATE

AMEMBASSY BONN IMMEDIATE

AMEMBASSY BERN IMMEDIATE

AMEMBASSY LONDON IMMEDIATE

AMEMBASSY BELGRADE IMMEDIATE

C O N F I D E N T I A L STATE 200335

E.O. 11652: GDS

TAGS: PFOR, PLOS, TU, GR

SUBJECT: AEGEAN CONTINENTAL SHELF DISPUTE

1. TURKISH AMBASSADOR ESENBEL SAW UNDER SECRETARY HABIB

UNDER INSTRUCTIONS AUGUST 11 TO PRESENT THE TURKISH POSI-

TION RE THE AEGEAN DISPUTE PRIOR TO UN SECURITY COUNCIL

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(UNSC) DELIBERATION ON THE SUBJECT. ESENBEL REVIEWED THE

HISTORY OF GREEK AND TURKISH RESEARCH VOYAGES IN THE AEGEAN NOTING THAT WHILE THE TURKS DID NOT PROTEST GREEK OPERATIONS EVEN WHEN CLOSE TO IZMIR, THE GREEKS HAVE PERSISTED IN THEIR CAMPAIGN TO ESTABLISH THE AEGEAN AS A "GREEK LAKE."

2. ESENBEL EMPHASIZED THAT THE GREEKS WERE UNJUSTIFIED IN CLAIMING THAT SISMİK OPERATIONS WERE A THREAT TO THE PEACE AND THEREFORE SHOULD BE TAKEN UP BY THE UNSC. THE SISMİK IS A SMALL, UNARMED VESSEL UNACCOMPANIED BY TURKISH WAR-SHIPS, HE SAID, THERE WOULD BE THREAT TO WORLD PEACE ONLY IF THE GREEKS ACT AGAINST THE SISMİK, THEREBY PROVOKING CERTAIN TURKISH RETALIATION. THE GREEKS HAD ALREADY ACTED PROVOCATIVELY BY SENDING LOW FLYING AIRCRAFT OVER THE SISMİK AND SHADOWING THE VESSEL WITH GREEK NAVAL SHIPS.

3. ESENBEL NOTED THAT THE TURKS HAVE MADE CLEAR THAT THE ACTIVITIES OF THE SISMİK DO NOT IN ANY WAY ESTABLISH FAIT

ACCOMPLI WHICH WOULD PREJUDICE THE LEGAL POSITION OF EITHER SIDE. UNTIL THE TWO SIDES SIT DOWN AND NEGOTIATE A LEGAL SETTLEMENT DELIMITING THE AEGEAN CONTINENTAL SHELF, THE TURKS BELIEVE THAT EXPLORATION OF THE SHELF OUTSIDE OF TERRITORIAL WATERS CAN BE CARRIED OUT BY EITHER PARTY. ON THE OTHER HAND, HE SAID, THE GREEK CLAIM THAT THE VOYAGES OF THE SISMİK VIOLATED INTERNATIONAL LAW BECAUSE THE SHIP WAS OPERATING OVER THE GREEK CONTINENTAL SHELF IMPLIES THAT THE ENTIRE CONTINENTAL SHELF IN THE AEGEAN IS GREEK. IN THAT CASE, HE SAID, THERE WOULD BE NO NEED TO NEGOTIATE AND NO DISPUTE. ESENBEL DESCRIBED THE GREEK POSITION AS "ILLOGICAL, ABSURD AND UNACCEPTABLE" AND STATED THAT THE TURKISH OPERATIONS MUST CONTINUE.

4. ESENBEL SUGGESTED THAT THE GREEKS MAY PLAN TO ATTEMPT TO ESTABLISH A LINKAGE IN THE UNSC RESOLUTION TO THE INTERNATIONAL COURT OF JUSTICE (ICJ). THE TURKS DO NOT ACCEPT THE PRINCIPLE THAT EVERY ICJ DECISION SHOULD BE BINDING ON TURKEY UNLESS TURKEY GOES BEFORE THE ICJ SEEKING AN OPINION. ESENBEL ALSO NOTED THAT TURKEY IS NOT A SIGNATORY TO THE 1958 CONTINENTAL SHELF CONVENTION WHICH THE GREEKS HAVE OFTEN CITED.

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5. ESENBEL SAID THAT THE GOT DESIRED THE MEMBERS OF THE SECURITY COUNCIL, PARTICULARLY THE US, TO TAKE COGNIZANCE OF TURKISH VIEWS AND NOT LET THEMSELVES BE USED BY THE GREEKS AND NOT TO SUPPORT GREEK CLAIMS ON THIS ISSUE. THE GOT, HE SAID, DOES NOT BELIEVE THE SECURITY COUNCIL IS A PROPER FORUM TO DETERMINE THE DELIMITATION OF THE CONTINENTAL SHELF OR TO GIVE AN OPINION ON THE RIGHTS OF

SCIENTIFIC EXPLORATION.

6. HABIB REVIEWED THE CONTINUING CONTACTS WE HAD PURSUED WITH BOTH THE GREEK AND TURKISH GOVERNMENTS URGING RESTRAINT AND SETTLEMENT OF THE DISPUTE BY NEGOTIATION. HE NOTED THAT NEITHER SIDE HAD REJECTED THE IDEA OF BILATERAL NEGOTIATIONS. HE EMPHASIZED THAT WE WOULD, AS IS OUR USUAL PRACTICE, AWAIT THE PRESENTATIONS OF EACH OF THE TWO PARTIES AND THEN DETERMINE WHAT OUR POSITION SHOULD BE. WE WOULD EXPECT A UNSC RESOLUTION OPPOSING THE USE OF FORCE. BEYOND THAT IT WAS IMPOSSIBLE TO DETERMINE AT THIS TIME WHAT THE RESOLUTION WOULD RECOMMEND; HOWEVER, WE WOULD BE KEEPING IN CLOSE CONTACT WITH THE TURKISH GOVERNMENT ON THIS MATTER. KISSINGER

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: CONTINENTAL SHELF, TERRITORIAL WATERS, FOREIGN POLICY POSITION, AEGEAN
Control Number: n/a
Copy: SINGLE
Draft Date: 12 AUG 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: GolinoFR
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976STATE200335
Document Source: CORE
Document Unique ID: 00
Drafter: RRDELABARRE:VF
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D760310-0866
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19760859/aaaabztf.tel
Line Count: 129
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN EUR
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: GolinoFR
Review Comment: n/a
Review Content Flags:
Review Date: 20 APR 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <20 APR 2004 by ShawDG>; APPROVED <21 APR 2004 by GolinoFR>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: AEGEAN CONTINENTAL SHELF DISPUTE
TAGS: PFOR, PLOS, TU, GR
To: ANKARA
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006